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**BEFORE THE BOARD OF PATENT APPEALS  
AND INTERFERENCES**

Application Number: 10/783,901  
Filing Date: February 20, 2004  
Appellant(s): GRIFFIN, JASON T.

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David B. Cochran  
For Appellant

**EXAMINER'S ANSWER**

This is in response to the appeal brief filed 11/21/08 appealing from the Office action mailed 4/24/08.

**(1) Real Party in Interest**

A statement identifying by name the real party in interest is contained in the brief.

**(2) Related Appeals and Interferences**

The examiner is not aware of any related appeals, interferences, or judicial proceedings which will directly affect or be directly affected by or have a bearing on the Board's decision in the pending appeal.

**(3) Status of Claims**

The statement of the status of claims contained in the brief is correct.

**(4) Status of Amendments After Final**

The appellant's statement of the status of amendments after final rejection contained in the brief is correct.

**(5) Summary of Claimed Subject Matter**

The summary of claimed subject matter contained in the brief is correct.

**(6) Grounds of Rejection to be Reviewed on Appeal**

The appellant's statement of the grounds of rejection to be reviewed on appeal is correct.

**(7) Claims Appendix**

The copy of the appealed claims contained in the Appendix to the brief is correct.

**(8) Evidence Relied Upon**

|                     |                 |               |
|---------------------|-----------------|---------------|
| <b>1,296,216 A1</b> | <b>WILLIAMS</b> | <b>3-2003</b> |
| <b>7,216,588</b>    | <b>SUESS</b>    | <b>5-2007</b> |

**5,797,098**

**SCHROEDER**

**8-1998**

**(9) Grounds of Rejection**

The following ground(s) of rejection are applicable to the appealed claims:

***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-6, 8-23 and 25-31 are rejected under 35 U.S.C. 103(a) as being unpatentable over Williams (EP 1296216A 1) and U. S. Patent No. 7,216,588 B2 (Suess).

**Claims 1 and 18: Williams** discloses a predictive text system and device for use with a mobile device having a reduced-key keyboard (Page 5 :Table 1), a display (abstract), and an alert mechanism, comprising: an ambiguous word list (abstract) comprising a plurality of keystroke combinations, each keystroke combination representing a plurality of key selections on the reduced-key keyboard (Page 5 :Table 1), wherein the keystroke combinations present in the ambiguous word list are associated with more than one common predicted word (Page 2, [0003], Lines 20-24); and a predictive text system module for receiving an input keystroke combination from the reduced-key keyboard (Page 5:Table 1) and for determining a predicted word for the input keystroke combination, wherein the predicted word is displayed on the display of

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the mobile device (Page 2, [0003], Lines 20-24); wherein the predictive text system module engages the alert mechanism on the mobile device if the input keystroke combination is present in the ambiguous word list (Page 3, [0022], Lines 56-58).

Williams discloses a mobile device with a reduced-key keyboard but does not disclose that a reduce-key QWERTY keyboard. Sues discloses a reduced-key QWERTY keyboard used on a mobile communications device (Figure 13). It would have been obvious to one skilled in the art at the time of the invention to learn from Sues a reduced-key QWERTY keyboard used on a mobile communications device. Sues discloses that generating a reduced key QWERTY keyboard on a mobile device allows for quick inputting while maintaining a keyboard layout that is more familiar to users who have already used the well known standard QWERTY keyboard (column 2, lines 18). Therefore one skilled in the art at the time of the invention would have been motivated to learn from Sues a reduced-key QWERTY keyboard used on a mobile communications device.

**Claims 2 and 19: Williams** discloses the predictive text system and device of claim 1 and 18, further comprising: a dictionary database (large intelligent dictionary: Page 4, [0030], Line 50); wherein the predictive text system determines the predicted word by matching the input keystroke combination with one or more predicted words stored in the dictionary database (Page 2, [0002], Lines 10-11).

**Claims 3 and 20: Williams** discloses the predictive text system and device of claim 2 and 19, further comprising: a grammar rules database (Linguistic database, Page 2, [0002], Line 11); wherein if the predictive text system determines that there is

more than one predicted word associated with the keystroke combination (Page 4, [0030], Lines 50-53), it determines the predicted word by applying a set of grammar rules from the grammar rules database to the input keystroke combination (Page 2, [0002], Lines 9-10).

**Claims 4 and 21: Williams** discloses the predictive text system and device of claim 1 and 18 further comprising: an alerts store for storing data that causes the mobile device to engage the alert mechanism ("Word Saved", Page 7, [0065], Lines 47-48).

**Claims 5 and 22: Williams** discloses the predictive text system and device of claim 1 and 18 wherein the alert mechanism is a change in the color ("reversed in colors in order to indicate") of the predicted word on the display (Page 3, [0022], Lines 56-58).

**Claims 6 and 23: Williams** discloses the predictive text system and device of claim 1 and 18 wherein the alert mechanism is an audible tone (alert beep, Page 7, [0055], Lines 14-15).

**Claims 8 and 25: Williams** discloses the predictive text system and device of claim 1 and 18 wherein the predicted words for each keystroke combination are organized in the ambiguous word list (several words) by frequency of occurrence in the language of the predicted words (Page 4, [0030], Lines 50-53).

**Claim 9: Williams** discloses the predictive text system of claim 8, wherein the language is English (Page 4, [0025], Line 17).

**Claims 10 and 26: Williams** discloses the predictive text system and device of claim 1 and 18 further comprising: a dictionary database containing one or more predicted words associated with a plurality of keystroke combinations (large intelligent dictionary, Page 4, [0030], Line 50); and a grammar rules database containing a plurality of grammatical constructs that describe proper grammar in a particular language (Linguistic database, Page 2, [0002], Line 11); and wherein the predictive text system module accesses the grammar rules database to determine the most probable part of speech of the input keystroke combination (Page 6, [0047], Lines 37-38), and then uses this determination to select one of the predicted words from the dictionary database (Page 6, [0047], Lines 37-40).

**Claims 11 and 27: Williams** discloses the predictive text system and device of claim 10 and 26 wherein the dictionary database provides a word tag for each predicted word, the word tag indicating the part of speech of the predicted word (Page 2, [0002], Lines 10-13).

**Claims 12 and 28: Williams** discloses the predictive text system and device of claim 11 and 27 wherein the predictive text system module compares the determination of the most probable part of speech to the word tags in the ambiguous word list (words matching a received string or ambiguous key strokes: abstract) in order to select one of the predicted words from the dictionary database (large intelligent dictionary: Page 4, [0030], Line 50).

**Claims 13 and 29: Williams** discloses the predictive text system and device of claim 1 and 18 further comprising: a selection list comprising a plurality of alternative predicted words for each of a plurality of keystroke combinations (Page 4, [0023], Lines 1-2); and a data selection device for selecting information displayed on the mobile device (Page 4, [0023], Lines 3-5); wherein in response (step 102) to a user activating the data selection device, the predictive text system module retrieves (step 102) the alternative predicted words associated with the input keystroke combination and displays the alternative predicted words on the display (step 111) (Fig. 11).

**Claims 14 and 30: Williams** discloses the predictive text system and device of claim 13 and 29 wherein the data selection device is utilized by the user to select one of the alternative predicted words set forth on the display (Fig. 5; Page 6, lines 46-47).

**Claim 15: Williams** discloses the predictive text system of claim 1, wherein the ambiguous word list is modifiable by a user of the mobile device (mobile phone) (Page 2, Lines 20-23).

**Claim 16: Williams** discloses the predictive text system of claim 13, wherein the selection list is modifiable by a user of the mobile device (Page 4, [0023], Lines 2-4).

**Claims 17 and 31: Williams and Suess** disclose the predictive text system and device of claim 1 and 18 further comprising: a grammar rules database (Williams, Linguistic database, Page2, [0002], Line 11 and page 4, paragraph 25). The predictive text system of Williams applies grammatical rules for example associated with using a name, when accessing a predicted name from the phonebook. This involves applying



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grammatical rules from the grammar rules database to the input keystroke combination, wherein the text is not marked therefore disabling the alert mechanism on the mobile device.

Claims 7 and 24 are rejected under 35 U.S.C. 103(a) as being unpatentable over Williams and Suess and in view of Schroeder et al. (US5797098).

**Claims 7 and 24: Williams** and Suess disclose the predictive text system and device of claim 1 and 18, but do not explicitly disclose "the alert mechanism is a vibration device". Schroeder discloses vibratory (Column 8, Lines 40-42). Therefore, it would have been obvious to one having ordinary skill in the art at the time of the invention was made to include the alert mechanism "vibration" in Williams. One would have been motivated to do so in order to efficiently alert users of the device by using vibration.

#### **(10) Response to Argument**

A. The Rejection of Claims 1 and 18 Under 35 U.S.C. 103 (a) over Williams in View of Suess Is Improper

i. The Cited References Fail to Disclose an Ambiguous Word List

Applicant argues that the combination of Williams and Suess does not disclose an ambiguous word list. The Examiner respectfully disagrees. Williams discloses a list of matching words that the predictive program generates in response to the key strokes entered by the user. It is from this ambiguous list that one matching word is selected and provided to the user. Therefore, the list is an ambiguous list of matches or possible matches from which one desired word is selected and displayed to the user. Therefore,

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the list in Williams (paragraph 2 of Abstract) is an ambiguous word list. The ambiguous word list in Williams is disclosed in the Abstract and also page 1, paragraph 3. The Table 1 of Williams cites a reduced-key keyboard as disclosed in the rejection. The list of Williams includes words that are associated with and generated in response to the plurality of keystroke combinations that have been input by the user. In response to the user's keystroke inputs, the predictive program predicts a list of possible words that match from which one desired word is selected and displayed to the user. The list generated by the predictive program is a list of possible predicted words. The plurality of keystroke combinations are input to the predictive program in response to which the ambiguous word list is generated. See Abstract. The predictive program receives the keystroke inputs provided by the user as input and then determines the list of words that are associated with the keystrokes. The list containing multiple options from which one word is chosen makes this list an ambiguous word list from which a distinct word is selected. When the list is generated with multiple options, it serves as an ambiguous word list that provides options of matches to the keystrokes but is ambiguous in that only one specific word from this list is the clear choice.

ii. The Cited References Fail to Disclose an Alert, Engaged if a Keystroke Combination Is Present in the Ambiguous Word List

Applicant argues that the combination of Williams and Suess does not disclose an alert, engaged if a keystroke combination is present in the ambiguous word list. The Examiner respectfully disagrees. The alert mechanism is interpreted as the marking of the word (page 2, paragraph 3). When the word is displayed with a marking, this highlights to the user the distinct word that has been chosen from the ambiguous list.

This marking of the word serves to alert the user. This marking occurs if in response to the user's keystroke, the ambiguous word list generates a list of words from which one word is selected and displayed. The word that is marked is selected from the ambiguous list. The list of words is generated in response to the keystroke combination of the users, and there being a word or words that are present and matching the keystroke combination input by the user. Therefore, Williams does disclose an alert that is engaged if a keystroke combination is present in the ambiguous word list. Williams discloses that when one word from the ambiguous word list is **selected**, this word is displayed with **a marking**. See page 2, paragraph 3, lines 9-13. The word is selected from the ambiguous list and a marking is added for display, this clearly indicates that at that point, a list of words have been predicted from the keystrokes and from this list a distinct matching word has been selected to which a marking has been added to clearly identify the word from the list. The marking for the word in Williams is an alert mechanism to alert the user to the word and its distinction from other text that is already displayed. This alert allows the user to pay attention to the word that has been selected from the ambiguous word list and displayed to the user along with the text string displayed.

B. The Rejection of Claims 3 and 20 Under 35 U.S.C. 103 (a) over Williams in View of Sues Is Improper Because the Cited References Fail to Disclose a Grammar Rules Database

Applicant argues that the rejection of claims 3 and 20 under 35 U.S.C. 103(a) over Williams in view of Sues is improper because the cited references fail to disclose a grammar rules database. The Examiner respectfully disagrees. Williams discloses a

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user dictionary which includes user customized word rules that are not in the standard dictionary, is new and added to the user dictionary. The personalized customization by the user takes into account grammar rules, where the user can customize the word based on grammar rules for words that are used in a distinct grammar format many times in a text document. Furthermore, the use of the names from the phonebook in the dictionary also takes into account grammar rules associated with names including capitalizing the first letters of the names and other rules that must be taken into consideration when a name is predicted from the dictionary. See page 4, paragraph 25.

C. The Rejection of Claims 7 and 24 Under 35 U.S.C. 103 (a) over Williams in View of Suess and Further in View of Schroeder is Improper Because the Cited References Fail to Disclose the Use of a Vibration Device as an Alert Within a Predictive Text System

Applicant argues that the rejection of claims 7 and 24 under 35 U.S.C. 103 (a) over Williams, Suess and Schroeder is improper because the cited references fail to disclose the use of a vibration device as an alert within a predictive text system. The Examiner respectfully disagrees. The device used in Williams and Suess and Schroeder is a mobile phone which carries out the vibratory alert as an alert. The mobile phone of Schroeder provides a vibratory alert as an alert which would be obvious to implement in William's mobile phone. With the use of the alert mechanism provided by the marking in Williams and Williams using a mobile phone, there is clear motivation for Williams to learn from Schroeder another means through which the user can be alerted including the vibratory alert. The context in Williams and Schroeder is the same in that both references cite using a mobile phone and providing alerts to the user through this mobile phone. In view of this same context, a vibratory alert is another

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option through which an alert is provided. This provides motivation for Williams and Sues to learn from Schroeder. Furthermore, the combination of Williams, Sues and Schroeder is proper because it is obvious because the substitution of one known element for another would have yielded predictable results to one of ordinary skill in the art at the time of the invention. Substituting the vibratory alert for the marking would have also provided an alert mechanism to bring attention to the user. In mobile phones, the use of such a vibratory alert mechanism is well known.

**(11) Related Proceeding(s) Appendix**

No decision rendered by a court or the Board is identified by the examiner in the Related Appeals and Interferences section of this examiner's answer.

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For the above reasons, it is believed that the rejections should be sustained.

Respectfully submitted,

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February 13, 2009

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